

UNITED STATES DISTRICT COURT

for the

Western District of Texas

JOSE OCHOA, JR.

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Plaintiff(s)

v.

Civil Action No. 3:24-cv-00228-KC

BRADFUTE ENTERPRISES, LLC, DAVID
BRADFUTE, and KIRBY OPCO, LLC
d/b/a THE KIRBY COMPANY
d/b/a READIVAC, d/b/a KIRBY

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Defendant(s)

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SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Bradfute Enterprises, LLC
c/o Service of Process
Secretary of State
P.O. Box 12079
Austin, Texas 78711-2079

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Chavez Law Firm
Enrique Chavez, Jr.
2101 N. Stanton Street
El Paso, Texas 79902

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT, PHILIP J. DEVLIN

D. Yungillo

Signature of Clerk or Deputy Clerk

Date: 7-24-24



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 3:24-cv-00228-KC

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) Bradfute Enterprises, LLC, to Service of Process Secretary of State was received by me on (date) July 24, 2024.

I personally served the summons on the individual at *(place)*

on *(date)* ; or

I left the summons at the individual's residence or usual place of abode with (name)

. a person of suitable age and discretion who resides there,

on (date) , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)*, who is

designated by law to accept service of process on behalf of (name of organization)

on (date) : or

I returned the summons unexecuted because

10

Other (specify): Delivered via certified mail, return receipt requested. Date of delivery was 8/2/24.

I declare under penalty of perjury that this information is true.

Date:

✓✓✓✓

Server's signature

Gary Vega, Process Server
Printed name and

Printed name and title

PO Box 970574, El Paso, TX 79902

Server's address

Additional information regarding attempted service, etc:

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bradgate Enterprises, LLC
c/o Service of Process
Secretary of State
PO Box 12079
Austin, TX 78711-2079



9590 9402 7111 1251 2568 04

2. Article Number (Transfer from service label)

7020 0090 0001 3802 2772

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

AUG 02 2024

TX Comptroller, Mail

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Restricted Delivery
Insured Mail	
Insured Mail Restricted Delivery	
over \$500	

Domestic Return Receipt

**U.S. Postal Service™
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Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Austin, TX 78711

OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)

 Return Receipt (hardcopy) \$ 0.00 Return Receipt (electronic) \$ 0.00 Certified Mail Restricted Delivery \$ 0.00 Adult Signature Required \$ 0.00 Adult Signature Restricted Delivery \$ 0.00

\$

Postage \$3.43

\$

Total Postage and Fees \$10.28

Bradgate Enterprises, LLC

Sent To: c/o Service of Process, Secretary of State

Street and Apt. No., or PO Box No.

PO Box 12079

City, State, ZIP+4 Austin, TX 78711-2079

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

0193 99

JUL 29 2024
U.S. POSTAL SERVICE
Austin, TX 78711-2079
Postmark Here
07/29/2024

USPS TRACKING #



First-Class Mail
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USPS
Permit No. G-10

United States
Postal Service

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• Sender: Please print your name, address, and ZIP+4® in this box*

SWLS

P.O. Box 920574
El Paso, TX 79902

Certified Mail service provides the following benefits:

- A receipt (this portion of the Certified Mail label).
- A unique identifier for your mailpiece.
- Electronic verification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.
- **Important Reminders:**
 - You may purchase Certified Mail service with First-Class Mail®, First-Class Package Service®, or Priority Mail® service.
 - Certified Mail service is *not* available for international mail.
 - Insurance coverage is *not* available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
 - For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;
- for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.
- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
- Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records.